**COMBINED DECLARATION AND POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled CARTILAGE TREATMENT PROBE, the specification of which:

- ☐ is attached hereto.
☒ was filed on January 30, 2004 as Application Serial No. 10/766,894 and was amended on _____.
☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

<u>U.S. Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
60/443,840	January 31, 2003	Abandoned

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Peter J. Devlin, Reg. No. 31,753; Phyllis K. Kristal, Reg. No. 38,524; John F. Hayden, Reg. No. 37,640; Frank R. Occhiuti, Reg. No. 35,306; Brian Dorini, Reg. No. 43,594; Diana DiBerardino, Reg. No. 45,653; Scott B. Markow, Reg. 46,899; George K. Stacey, Reg. No. 35,688; Joel R. Petrow, Reg. No. 30,886; and Bill Clemmons Reg. No. 32,558

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Address all correspondence to JOEL R. PETROW


SMITH & NEPHEW, INC.
1450 Brooks road
Memphis, TN 38116

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Combined Declaration and Power of Attorney

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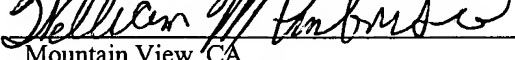
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Client's Ref. No.: 02-31-0464

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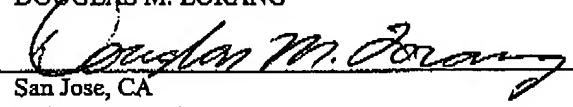
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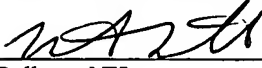
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